

REMARKS

Claims 18-22 stand rejected under 35 U.S.C. 102(e) as being anticipated by Randmae et al (U.S. Pat No. 6,412,670 B1). Applicant has canceled claims 18-22 and presents new claims 23-43 and submits, for the reasons below, that the new claims are patentable.

The invention defined by new claim 23 relates to a candle forming device (indicated by reference numeral 200 in the embodiment shown in FIG. 10). The device includes an outer kiln (indicated by reference numeral 202), an inner mold (204), a heating assembly (208), and a wick placement assembly (206). The outer kiln (202) defines a chamber and the inner mold (204) has a closed bottom and an open top and is sized for selective placement into and out of the chamber. The heating assembly (208) includes a flat heating surface that is positioned to support and heat the inner mold (204). The wick placement assembly (206) is configured to hold a wick in place between the open top and the bottom of the inner mold (204).

Randmae describes a candle making apparatus 2. Randmae's apparatus 2 includes an upper housing 40 and a lower housing 36. A cylindrical heating chamber 10 is positioned in the upper housing 40 and a wax dispensing chamber 16 is attached directly below the heating chamber 10. An electric heater 34 surrounds the wax dispensing chamber 16. A base 26 is attached to the lower housing 36 and a candle mold 28 is placed on the base 26 via an opening in the lower housing (Col. 6, lines 14-15) beneath the wax dispensing chamber 16. In operation, wax is placed into the heating chamber 10 where it melts. The resulting melted wax flows into the wax dispensing chamber 16 and is then selectively allowed to flow from the wax dispensing chamber 16 into the candle mold 28.


Randmae does not disclose or suggest the electric heater 34 as having a flat heating surface that is positioned to support the candle mold 28. Because Randmae does not disclose or suggest every element of claim 23, applicant submits that claim 23 is patentable. It follows that dependent claims 24-31 are also patentable.

The invention defined by new claim 32 relates to a candle forming device (200). The device includes an outer kiln (202), an inner mold (204), a heating assembly (208), and a wick placement assembly (206). The outer kiln (202) has a top and a bottom and includes a base and at least one sidewall. The sidewall extends upwardly from the base to an opening at the top of the kiln and substantially perpendicular to the sidewall. The base and the sidewall define a chamber. The inner mold (204) has a closed bottom and an open top and is sized such that the inner mold (204) can be placed inside the chamber via the opening. The heating assembly (208) heats the inner mold (204). The wick placement (206) assembly is configured to hold a wick in place between the open top and the bottom of the inner mold (204).

Randmae does not describe the upper and lower housings 36 and 40 as defining an opening at the top of the apparatus substantially perpendicular to the walls of the upper housing and through which the candle mold 28 is placed inside the housing. Randmae describes the candle mold 28 being placed on the base 26 via an opening in the lower housing (Col. 6, lines 14-15) beneath the wax dispensing chamber 16. Applicant submits that the heating chamber 10, the wax dispensing chamber 16, or a combination thereof cannot be equated to the candle mold of claim 34 because there is no element equivalent to the wick placement assembly arranged in accordance with the requirements of claim 34 with respect to Randmae's heating chamber 10 and/or wax

dispensing chamber 16. Because Randmae does not disclose or suggest every element of claim 32, applicant submits that claim 32 is patentable. It follows that dependent claims 33-43 are also patentable.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John Smith-Hill", written over a horizontal line.

John Smith-Hill

Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.
16100 N.W. Cornell Road, Suite 220
Beaverton, Oregon 97006

Tel. (503) 574-3100

Fax (503) 574-3197

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